

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Federal-State Joint Board on Universal Service	)	CC Docket No. 96-45
	)	
Northwest Missouri Cellular Limited Partnership	)	DA 07-1571
	)	
Petition for FCC Agreement to Redefine the Study Areas of	)	
Three Rural Telephone Companies in Missouri	)	

**COMMENTS OF CENTURYTEL OF MISSOURI, LLC AND SPECTRA COMMUNICATIONS GROUP**

CenturyTel of Missouri, LLC and Spectra Communications Group, LLC, d/b/a  
CenturyTel (together, “CenturyTel”) oppose the above-referenced petition of Northwest Missouri Cellular Limited Partnership (“NWMC”) for redefinition of the service areas of three rural telephone companies in Missouri (the “Petition”).<sup>1</sup> Because NWMC’s Petition raises issues of serious concern, CenturyTel urges that the Commission deny the Petition or, at the very least, commence a proceeding to consider the Petition rather than permit automatic grant 90 days from the date of public notice.<sup>2</sup>

On September 21, 2006, the Missouri Public Service Commission (“MPSC”) designated NWMC as a competitive eligible telecommunications carrier (“CETC”) in certain rural incumbent local exchange carrier (“ILEC”) study areas of Missouri, including partial study areas of Alltel Missouri, Inc., Grand River Mutual Telephone Corporation and Sprint Missouri,

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<sup>1</sup> *The Wireline Competition Bureau Seeks Comment on a Petition by Northwest Missouri Cellular Limited Partnership to Redefine the Study Areas of Three Rural Telephone Companies in Missouri*, Public Notice in CC Docket 96-45, DA 07-1571 (rel. Apr. 2, 2007).

<sup>2</sup> 47 C.F.R. § 54.207(c)(3)(ii).

Inc., for the purpose of receiving high-cost support from the federal universal service program.<sup>3</sup> CenturyTel intervened in the MPSC proceeding in opposition of NWMC's CETC designation. On March 19, 2007, NWMC filed the present Petition with the Commission for consent to redefine the service areas of the three rural ILECs (the "Rural ILECs") in order to receive federal universal service high-cost support for serving only a portion of the Rural ILECs' study areas.

As Chairman Martin recognized in his recent remarks to the Federal-State Joint Board on Universal Service ("Joint Board") En Banc Meeting, "today we have a problem" with regard to "subsidizing multiple competitors to provide voice services in rural areas."<sup>4</sup> NWMC is just the latest in a long line of CMRS providers seeking federal universal service high-cost support without the need to make any showing to justify the level of support sought. Indeed, under the current rules, for each of the customers already served by NWMC, and without NWMC doing a single thing to justify receipt of federal funds, NWMC would immediately become eligible to receive the per-line high-cost support identical to that received by the Rural ILEC. In stark contrast to NWMC (and all other CETCs), however, each of the Rural ILECs must document its expenditures to justify its level of federal high-cost support, and it will receive support only *after* providing such documentation.

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<sup>3</sup> *Application of Northwest Missouri Cellular Limited Partnership for Designation as a Telecommunications Company Carrier Eligible for Federal Universal Service Support Pursuant to § 254 of the Telecommunications Act of 1996*, Order Granting Motion to Amend Report and Order, MPSC Case No. TO-2005-0466 (March 1, 2007) ("*Amended Order*") (attached to the Petition as Exhibit A). The amended order discusses various issues related to NWMC's request to serve only partial study areas at issue before this Commission.

<sup>4</sup> Chairman Kevin Martin, Opening Remarks before the Federal-State Joint Board on Universal Service En Banc Meeting, Washington, DC, February 20, 2007.

The dramatic changes to the current system of the federal universal service high-cost funding mechanism now under consideration by the Joint Board<sup>5</sup> underscore the importance of commencing a proceeding to consider the merits of NWMC's Petition. Depending on the ultimate outcome of the Joint Board's deliberations, the impact of adding an additional ETC to a study area could have substantial repercussions with regard to funding levels for *all* ETCs in the study area. CenturyTel therefore urges the Commission to postpone decision on this Petition, and initiate a proceeding, so it may benefit from the recommendations of the Joint Board in the pending rulemaking proceeding. Deferring a decision for the brief period until the Commission has issued an order on the Joint Board's recommendations will help ensure that the Commission does not redefine any rural ILEC's service area in a manner inconsistent with the public interest.

In any event, and as CenturyTel repeatedly has argued in prior pleadings in Docket 96-45, the Communications Act requires the FCC to take into consideration the Joint Board's recommendations before changing the service area for a rural ETC.<sup>6</sup> By commencing a proceeding, and issuing a written decision, the Commission will demonstrate that it actually considered the Joint Board's recommendations consistent with the Communications Act's requirements.

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<sup>5</sup> *Federal-State Joint Board on Universal Service Seeks Comment on the Merits of Using Auctions to Determine High-Cost Universal Service Support*, Public Notice, WC Docket No. 05-337, CC Docket No. 96-45, FCC 06J-1 (rel. Aug. 11, 2006).

<sup>6</sup> 47 U.S.C. § 214(e)(5).

For the foregoing reasons, CenturyTel urges the Commission to deny the Petition or, at a minimum, commence a proceeding to fully consider the merits of the Petition taking into account the recommendations of the Joint Board.

Respectfully submitted,

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